VILLAGE OF PORT CHESTER BOARD OF TRUSTEES <u>Regular Meeting</u> Monday, November 20, 2023 at 7:00 P.M. PROPOSED CLOSED SESSION AT THE END OF THE MEETING TOWN OF RYE JUSTICE COURTROOM 350 North Main Street Port Chester, New York AGENDA

Trustee Bart Didden will be attending the meeting via videoconferencing from 685 Pelican Court, Marco Island, FL 34145, which will be open to the public for this meeting as well as the 350 N. Main Street Location.

	CALL TO ORDER / PLEDGE OF ALLEGIANCE	
I	PRESENTATION	
1	Port Chester Housing Authority Introduction of New Executive Director, Mr. Michael Morris	
2	Department of Recreation update by Superintendent of Recreation, Heather Krakowski	
	DISCUSSIONS	ACTION
1	Village Staffing & Civil Service	
IV	MINUTES	ACTION
1	Approval of October 30, 2023, November 01, 2023 and November 6, 2023 minutes	
V	PUBLIC COMMENTS	ACTION
VI	REPORT OF THE VILLAGE MANAGER	ACTION
VII	RESOLUTIONS	ACTION
1	Setting Public Hearing - Local Law No. I-7 - Taxi Commission recommended changes	
	REQUESTS FOR AN ADD-ON RESOLUTIONS	ACTION
2	Conditional Offer of Employment for Police Officer Mia J. Grall	
3	Conditional Offer of Employment for Police Officer Richard J. Grall	
VIII	CORRESPONDENCE	ACTION
1	From The Tamarack Tower Foundation requesting permission to hold a Turkey Trot on Thursday, November 23, 2023 and to hang banners on Putnam Avenue and Westchester Avenue	
IX	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION
	FODEIC COMMENTS AND BOARD COMMENTS	ACTION

PROPOSED CLOSED SESSION

1 Consultation with Counsel

CALL TO ORDER PLEDGE OF ALLEGIANCE

PRESENTATION

PRESENTATIONS #1

PRESENTATIONS #2

RECREATION DEPARTMENT

PROGRAMS/EVENTS

 Day Camp – King Street School - July 5th – August 12th (6 weeks) 8:30 a.m. – 4:00 p.m.

180 register campers participated
Employed 33 Port Chester Youth/ Residents (counselors)
Employed 10 CIT's (Volunteers ages 13-15)
5 Trips (example Playland, Lake Compounce) Weekly Pool Trips Saxon Woods
Director and Staff did a amazing job keeping the campers cool, hydrated, safe and engaged

• Summer 2024 anticipate Capacity Number to increase 200 campers registered (anticipated) 2023 operated with a waitlist Approximately 35 Staff and 7-8 lifeguards will be needed to operate safely and

within County Health Department Regulations (Volunteer CIT's ages 13-15 2 days a week approximately 15 additional helpers)

Columbus Park Playground Program (Free)

June 26th – August 4th (6 weeks) 9 a.m. – 4 p.m. Monday – Friday 100 Plus Participants 10 CIT's (Volunteers ages 13 to 15) <u>Also incorporates staff from Summer Youth Employment</u>

Director and Staff made adjustments for rain and heat to make sure the children had a safe and fun summer, Director brought in a new Free STEM program

Summer 2024 Columbus Park Playground Program (Free)

July 1st – August 9th (6 weeks) 9 a.m. – 4 p.m. Monday – Friday

130-40 Participants (anticipated)

CIT's (Volunteers ages 13-15) Also incorporates staff from Summer Youth Employment Director anticipates adding new programing, STEM (2nd year) Multi Sports (3rd year) Free Art Mobile (3rd year) possible new, Zumba, soccer, basketball etc.

Cub Camp – Lyon Park – July 5th – August 4th (5 weeks) 9:00 a.m. – 12 noon

32 Campers (ages 3, 4 & 5)
7 Staff (3 CIT's) (Volunteers ages 13 -15)
Director and Staff did a amazing job keeping the campers cool, hydrated, safe and engaged – receive wonderful feedback from all participants

Summer 2024 - Cub Camp July 1st – August 2nd (5 weeks) 9:00 a.m. – 12 noon

40 Campers (ages 3, 4 & 5) (anticipated) At least 9 Staff - and additional CIT's (Volunteers ages 13 - 15)

Special Citizens Program June 26th – July 21st (4 Weeks)

4 Staff for 12 participants (Certified CPR & First Aid) Daily bussing and local trips (i.e. Rec Park for bocce, HS for lacrosse tournament etc.) Trips (i.e. Bluefish game, circle line)Senior Citizens attended 4 trips

Summer 2024 Special Citizens Program July 1st – July 26th (4 Weeks)

4 Staff for 12 participants (Certified CPR & First Aid) Daily bussing and local trips (i.e. Rec Park for bocce, HS for lacrosse tournament etc.) Trips (Circle Line, Beardsley Zoo)

Free Summer Tennis

Courts Open to Public Weds Evenings , Saturday and Sunday Mornings (7 weeks July – August)

2024 Free Summer Tennis (Applying for USTA Grant)

Free Tennis for Children from 1st – 8th grade for 7 Saturdays Summer 2021 Free Tennis Programming incorporated into Day Camp Program 2 days a week Courts Open to Public Weds Evenings & Sunday Mornings (7 weeks July - August

Summer Concerts – Lyon Park Friday Nights 7:30 -9 p.m. 6 Concerts 2023 July 7th, July 14th, July 21st, July 28th, August 4th and August 9th 2 Food Trucks per concert

Summer Concerts – Lyon Park Friday Nights 7:30 -9 p.m. Scheduling will begin in January Food Trucks will be available

34th Annual Port Chester Day- Lyon Park – August 26th

Free Rides for Children from 12 noon – 5 p.m. Bubble Bus from 12 noon – 3 p.m. Clay Art Center Free Clay Activity 12 noon – 5 p.m. Home Depot 12 – 3 p.m. Gaga Ball 12 noon – 5 p.m. Free Art Activity from 12 – 3 p.m. Over 60 Vendors Port Chester Fire Department – Fire Trucks and Smoke House (Giveaways) Live Entertainment Starting at 12 noon with local talent Dance Studios and Individual Dancers 4 Headliner bands from 2:30 – 9 :00 p.m. Approx. 10 Food Trucks

35th Annual Port Chester Day- Lyon Park – August

Free Rides for Children from 12 noon – 5 p.m. Clay Art Center Free Clay Activity 12 noon – 5 p.m. Over 60 Vendors Port Chester Fire Department – Fire Trucks and Smoke House (Giveaways) Live Entertainment Starting at 12 noon with local talent Dance Studios and Individual Dancers 4 Headliner bands from 2:30 – 9 p.m. Food Trucks (must meet requirements)

Port Chester Recreation Spring/Summer/Fall Park Rentals

- Abendroth Park Total Rentals (April October) 46
- Columbus Park Total Rentals (April October) 10
- Lyon Park Total Rentals (April October) 23
- Recreation Park Baseball Field 25
- Edgewood Park Baseball Field 25
- > Abendroth Soccer Field Rental 35
- Columbus Park Soccer Field Rental 130

Port Chester Recreation Fall Programs

- Fall Youth Soccer (Mondays & Saturdays)
- Fall Tots Soccer (ages 2 5 years old)
- Fall Cheerleading
- Fall Softball clinic
- Fall Flag Football
- > Fall Youth Tennis (Saturdays) 40 participants
- Fall Hands on Clay Classes (Fridays 2 Classes)
- Karate Thursdays 6:30 November May
- > 9/11 Ceremony
- > Halloween in the Park

PORT CHESTER RECREATION FALL/WINTER PROGRAMS

- Drop in Basketball Open Gym Free 13 year olds to 18 year olds
- Coat Drive Coats collected are distributed to local centers (Carver – Don Bosco)
- Winter After-School multi sports (Senior Center)
- Winter Boxing Middle School
- Winter Teen Travel Club
- Winer Mad Science Classes K-2nd (Senior Center)
- Winter Music Classes 3rd 5th (Senior Center)
- ▶ Winter Hands on Clay 1st 5th grades (8 weeks)
- ► Winter Soccer Clinic 6 weeks
- February Break Mini Camp

PORT CHESTER RECREATION HOLIDAY EVENTS

- Christmas Tree Lighting Nov 30th -6 pm
- Santa's Mailbox (Nov 27th Dec 8th)
- Santa in the Park Event (Christmas Parade) Dec 9th
- Chanukah Gelt Drop Dec 14th 5:30 p.m.







Letters for Santa

No need for a stamp but, Please make sure your name and address are on your letter so Santa can send you one back

.Letters to

SANTA

Deadline for return letter is Dec 9th

Mailbox will be located at Port Chester

Village Hall (Main Entrance)

222 Grace Church Street

Monday – Friday 9 a.m.—5 p.m.

November 27th - December 8th



Mailbox will also be available at Port Chester Recreation's Christmas Event Dec 9th 1:30 p.m. (www.portchesterny.gov for more details)

PLEASE JOIN US AT PORT CHESTER'S CHRISTMAS TREE LIGHTING CEREMONY NOVEMBER 30TH AT 6 P.M.

*

*

LIBERTY SQUARE

MAYOR& BOARD OF TRUSTEES WILL LIGHT THE TREE

MUSIC BY PORT CHESTER HIGH SCHOOL BRASS ENSEMBLE & THE PORT CHESTER SOUND

FREE HOT CHOCOLATE-SALVATION ARMY

For more info call (914)939-2354 or visit us at www.portchesterny.gov



SANTA IN THE PARK/CHRISTMAS PARADE



For further Info Call (914) 939-2354 or Disit our website www.portchesterny.gov Rain Date - Sunday December 10th



PORT CHESTER RECREATION SPRING/SUMMER 2024

- Spring Tennis
- Spring Soccer
- Spring Hands on Clay
- Spring Break Mini Camp
- After School Multi Sport
- Easter in the Park
- ► Floor Hockey
- ► Day Camp
- Cub Camp
- Playground Program
- Special Citizens Program
- Summer Tennis (grant funded)
- ► Bocce League
- ► Pickleball

- Summer Softball Clinics
- Summer Cheerleading
- Spring Music Classes
- Summer Concerts (6 total)
- Port Chester Day





DISCUSSION

MINUTES

MINUTES BOARD OF TRUSTEES SPECIAL MEETING VILLAGE HALL CONFERENCE ROOM 222 GRACE CHURCH STREET VILLAGE OF PORT CHESTER, NEW YORK MEETING HELD MONDAY, OCTOBER 30, 2023 AT 6:00 PM

Meeting was called to order by Mayor Marino.

PRESENT:

Mayor	Luis A. Marino
Trustee	John J. Allen, Jr.
Trustee	Juliana C. Alzate
Trustee	Bart A. Didden
Trustee	Philip Dorazio
Trustee	Joan Grangenois-Thomas
ABSENT:	

Trustee Joseph E. Carvin, Jr.

ALSO PRESENT:

Village Clerk, Janusz R. Richards Village Manager, Stuart Rabin Corporation Counsel, Attorney Peter Sisca Village Attorney, Anthony Cerreto Chief of Police, Christopher M. Rosabella Human Resource Officer, Ed Brancati Labor Attorney, Emily E. Iannucci

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-

THOMAS the meeting was declared opened at 06:03 p.m.

ROLL CALL

AYES: Trustees Didden, Dorazio, Allen, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustee Carvin.

DATE: October 30, 2023.

MOTION FOR EXECUTIVE SESSION

At 06:03 p.m., on motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO the Board adjourned into an executive session regarding the employment history of a particular person.

ROLL CALL

AYES: Trustees Didden, Dorazio, Allen, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustee Carvin.

DATE: October 30, 2023.

ALSO PRESENT:

Village Manager, Stuart Rabin Corporation Counsel, Attorney Peter Sisca Village Attorney, Anthony Cerreto Chief of Police, Christopher M. Rosabella Human Resource Officer, Ed Brancati Labor Attorney, Emily E. Iannucci

Following discussion, the consensus of the Board was to support the Police Chief's intended personnel direction.

Trustees Dorazio and Alzate were opposed.

At 06:55 p.m., a motion to come out of executive session was made by TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Didden, Dorazio, Allen, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustee Carvin.

DATE: October 30, 2023.

Mayor Marino asked for a motion to adjourn the meeting.

On a motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the meeting was adjourned at 06:55 p.m.

ROLL CALL

BOARD OF TRUSTEE MEETING 10/30/2023

AYES: Trustees Didden, Dorazio, Allen, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustee Carvin.

DATE: October 30, 2023.

Respectfully submitted,

Janua R. Richard

Janusz R. Richards Village Clerk

MINUTES BOARD OF TRUSTEES AGENDA WORK SESSION VILLAGE HALL CONFERENCE ROOM 222 GRACE CHURCH STREET VILLAGE OF PORT CHESTER, NEW YORK MEETING HELD NOVEMBER 1, 2023 AT 6:30 PM

Meeting was called to order by Mayor Marino, followed by the Pledge of Allegiance. Mayor Marino welcomed all present.

PRESENT:

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Mayor	Luis A. Marino
Trustee	John J. Allen, Jr.
Trustee	Juliana C. Alzate
Trustee	Philip Dorazio
ABSENT:	
Trustee	Joseph E. Carvin, Jr.
Trustee	Bart A. Didden
Trustee	Joan Grangenois-Thomas

ALSO PRESENT:

Village Clerk, Janusz R. Richards Village Manager, Stuart Rabin Village Treasurer, Anthony Siligato (Arrived at 06:56 p.m.) Village Attorney, Anthony Cerreto

On motion of TRUSTEE DORAZIO, seconded by TRUSTEE ALLEN the

meeting was declared opened at 06:20 p.m.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

MOTION FOR EXECUTIVE SESSION

At 06:20 p.m., on motion of TRUSTEE DORAZIO, seconded by TRUSTEE ALZATE the Board adjourned into an executive session to;

- Interview candidates for Recreation and Park Commission
- Appeal Hearing on the Taxi Commission's decision to suspend Daniel Vanegas Taxi Driver License for 3 weeks

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

ALSO PRESENT:

Village Clerk, Janusz R. Richards Village Manager, Stuart Rabin Village Attorney, Anthony Cerreto

No action was taken in executive session.

At 06:50 p.m., a motion to come out of executive session was made by TRUSTEE ALLEN, seconded by TRUSTEE ALZATE, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

DISCUSSIONS

The Board discussed the following items:

Village Staffing & Civil Service

The Village Manager updated the Board on the staffing for Code Enforcement. The civil service list has many candidates, and his recommendation is for two positions. The budget amendment is estimated to be around \$260,000.00, for two full time positions that might require health insurance. The Department is understaffed and would benefit from additional staff.

Budget Transfers for Senior Service and Recreation

The Village Manager updated the Board in reference to the Email circulated. He is preparing to present a resolution for a budget transfer at the next meeting to move \$10,000 from the recreation personnel line, to the senior program line, and doing the same for the recreation department. This is speaking to the request by the Board to expand the programs. A test was just given for recreation, and the list is anticipated to be released in January and a full-time person may be able to be hired.

Taxi Commission recommendation to the Village regarding Code Changes, including increase in taxicabs fares

The Board received communication from the Taxi Commission proposing changes to the fees, and other items. Trustee Dorazio is concerned that children ride in the Taxi's without a car seat. This item will be placed on the agenda for Monday for further discussion.

Liquor License Application for 40 Grace Restaurant Corp.

There will be a resolution for this item on the Meeting for Monday, the Board has seen the reports provided by Code Enforcement and the Police Department.

REPORT OF THE VILLAGE MANAGER

The Village Manager reported on the monopole behind Whole Foods to be installed by AT&T. AT&T already has a contract with the United Hospital Project to have a pole on their property. The Village has made it clear to the NYSDOT, and the AT&T representatives, that they are animatedly against the monopole.

CORRESPONDENCES

From The American Legion requesting an appropriation to help with the Veterans' Day Ceremonies.

The Board referred the correspondence to staff without objection.

From The American Legion invitation to the Veterans' Day ceremony

The Board accepted the correspondence.

From Chamber of Commerce regarding 2023 Holiday Free Parking

A resolution approving the request will be added to the November 6, 2023 Agenda

AGENDA – WORK SESSION

The Board had an opportunity to review the presented agenda items for the November 6 2023 and November 20, 2023, Board Meetings.

TRUSTEE DORAZIO, made a motion to approve the following agendas for November 6 2023 and November 20, 2023 as presented below, seconded by TRUSTEE ALZATE. The motion was adopted by the Board of Trustees of the Village of Port Chester, New York:

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

VILLAGE OF PORT CHESTER BOARD OF TRUSTEES <u>Regular Meeting</u> Monday, November 6, 2023 at 6:30 P.M. PROPOSED EXECUTIVE SESSION 6:30-7:00 P.M. TOWN OF RYE JUSTICE COURTROOM 350 North Main Street Port Chester, New York AGENDA

I	CALL TO ORDER / PLEDGE OF ALLEGIANCE	
I	PROPOSED EXECUTIVE SESSION	
1	Regarding the employment history of a particular person	
III	REPORT OF THE BUILDING INSPECTOR	
1	Building Department Presentation	

IV	DISCUSSIONS
	Taxi Commission recommendation to the Village regarding Code
1	Changes, including increase in taxicabs fares
	Parking displacement due to MTA wall construction/repair behind
2	N. Main Street shops located between Highland St. and Railroad bridge
	over N. Main St.
V	MINUTES
1	Approval of October 11, 2023 and October, 16, 2023 minutes
VI	PUBLIC COMMENTS
VII	REPORT OF THE VILLAGE MANAGER
VIII	RESOLUTIONS
• • • • •	Authorizing the Village Attorney to enter Into The Second Amended
	Order of Dismissal with respect to the Village of Port Chester In The
	Matter of Save The Sound And Atlantic Clam Farms of Connecticut,
1	Inc. V. Westchester County, NY; Town/Village of Harrison; Village of
	Larchmont; Town of Mamaroneck; City of New Rochelle; Village of
	Pelham Manor; City of Rye; Village of Rye Brook; And Village of
	Scarsdale
2	Awarding BID No. 2023-22 - Columbus Park Upgrades to Pat Corsetti,
2	Inc.
3	Awarding BID No. 2023-14 - Columbus Park Fence Installation 2023 to
•	WBE Fence Company
4	Awarding BID No. 2023-23 Bulkley Drain Debris Removal to MTS
	Infrastructure, LLC.
5	Awarding RFP No. 2023-17 Desktop, Network and Server Admin and Support to DCC Inc.
	Award RFP #2023-02 Municipal Financial Advisor Professional
6	Services to Capital Markets Advisors, LLC
	Awarding BID #2023-24 to Hubbard's Cupboard LLC for the Prepared
7	Meals for the Senior Nutrition Program.
0	Authorizing the First Amendment to a license agreement with the
8	County of Westchester Regarding Police Mutual Aid Communications
9	Inter-Municipal Agreement (IMA) with Westchester County for Prisoner
3	Transportation
	Approving Intermunicipal Agreement with Westchester County for the
10	Youth Bureau's 2023 Summer Youth Employment Program for ages 16
	to 24 from families with low and moderate incomes
11	Free parking for the 2023 Holiday Season
	Capital Project & General Fund Budget Amendment – Capital Project
12	#2021-243 (Fire Department. Vehicles & Equipment – Engine/Pumper
	Truck)
13	Amendment to order terms for Seagrave Fire Apparatus
14	Budget Transfer - FY 2023-24 General Fund - Building Department 3rd
14	Party Fire Sprinkler Plan Review

15	Providing Comment to New York State Liquor Authority in response to notification of an application for a liquor license to be filed by 40 Grace Restaurant Corp.	
16	Appointing of Peter Pascale to the Commission on Recreation	
17	Granting request from the American Legion Post 93, for assistance and permission to hold Veterans Day ceremonies at Veterans Memorial Park. On Saturday, November 11, 2023 at 11:00 a.m.	
18	Budget Transfer – Fiscal Year 2023-24 General Fund Recreation & Senior Services Programming	
19	Opposing the construction of a Cellular Monopole located on New York State Thruway Authority property	
20	Accept letter of intent and authorize preparation of purchase and sale agreement for the conveyance of development rights to Neri Bakery to facilitate addition over the New Broad Street Municipal Parking Lot and to provide an option for the Village to exercise development rights on certain related Neri Bakery Properties on Pearl and Smith Streets for a potential new structured parking lot and to authorize Neri Bakery to make application to Planning Commission for site plan approval for such addition	
21	Disposition of appeal from determination of Taxi Commission	
22	Failing The Probationary Term of a Police Officer	
IX	CORRESPONDENCE	
1	From the Parish of St. John Bosco requesting permission to have a procession on December 11, 2023	
X	PUBLIC COMMENTS AND BOARD COMMENTS	

VILLAGE OF PORT CHESTER BOARD OF TRUSTEES <u>Regular Meeting</u> Monday, November 20, 2023 at 7:00 P.M. PROPOSED EXECUTIVE/CLOSED SESSION AT THE END OF THE MEETING TOWN OF RYE JUSTICE COURTROOM 350 North Main Street Port Chester, New York

ort Chester, New Yo *AGENDA*

I	CALL TO ORDER / PLEDGE OF ALLEGIANCE	
II	PRESENTATION	
1	Port Chester Housing Authority Introduction of New Director, Mr. Michael Morris	
	DISCUSSIONS	
1	Village Staffing & Civil Service	

IV	MINUTES	
1	Approval of October 30, 2023, November 01, 2023 and November 6, 2023 minutes	
V	PUBLIC COMMENTS	
VI	REPORT OF THE VILLAGE MANAGER	
VIII	CORRESPONDENCE	
1		
2		
2 IX	PUBLIC COMMENTS AND BOARD COMMENTS	
	PUBLIC COMMENTS AND BOARD COMMENTS PROPOSED EXECUTIVE/CLOSED SESSION	

MOTION FOR EXECUTIVE/CLOSED SESSION

At 07:03 p.m., on motion of TRUSTEE DORAZIO, seconded by TRUSTEE ALLEN the Board adjourned into an executive/closed session to consult with Village Attorney.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

ALSO PRESENT:

Village Clerk, Janusz R. Richards Village Manager, Stuart Rabin Village Attorney, Anthony Cerreto

No action was taken in executive session.

At 07:35 p.m., a motion to come out of executive session was made by TRUSTEE ALLEN, seconded by TRUSTEE ALZATE, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

Mayor Marino asked for a motion to adjourn the meeting.

On a motion of TRUSTEE DORAZIO, seconded by TRUSTEE ALZATE, the meeting was adjourned at 07:35 p.m.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: Trustees Didden, Grangenois-Thomas and Carvin.

DATE: November 1, 2023.

Respectfully submitted,

JANIA R Richard

Janusz R. Richards Village Clerk

MINUTES BOARD OF TRUSTEES REGULAR MEETING TOWN OF RYE JUSTICE COURTROOM 350 NORTH MAIN STREET VILLAGE OF PORT CHESTER, NEW YORK MEETING HELD NOVEMBER 6, 2023 AT 6:30 PM

Meeting was called to order by Mayor Marino followed by The Pledge of Allegiance. Mayor Marino welcomed all present.

PRESENT:

Mayor	Luis A. Marino	
Trustee	John J. Allen, Jr.	(Left at 07:40 p.m.)
Trustee	Juliana C. Alzate	
Trustee	Joseph E. Carvin, Jr.	(Left at 07:40 p.m.)
Trustee	Bart A. Didden	
Trustee	Philip Dorazio	
Trustee	Joan Grangenois-Thomas	

ALSO PRESENT:

Village Clerk, Janusz R. Richards Village Manager, Stuart Rabin Corporation Counsel, Attorney Peter Sisca Village Attorney, Anthony Cerreto Acting Director of Planning and Economic Development, Curt K. LaValla Village Building Inspector, Kevin Donohue Chief of Police, Christopher M. Rosabella Human Resource Officer, Ed Brancati

On motion of TRUSTEE ALLEN, seconded by TRUSTEE ALZATE, the meeting was declared opened at 06:32 p.m.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: None. RECUSE: None. ABSENT: None.

DATE: November 6, 2023.

MOTION FOR EXECUTIVE SESSION

At 06:32 p.m., on motion of TRUSTEE DORAZIO, seconded by TRUSTEE DIDDEN the Board adjourned into an executive session regarding the employment history of a particular person

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: None.

DATE: November 6, 2023.

ALSO PRESENT:

Village Clerk, Janusz R. Richards Village Manager, Stuart Rabin Corporation Counsel, Attorney Peter Sisca Village Attorney, Anthony Cerreto Chief of Police, Christopher M. Rosabella Human Resource Officer, Ed Brancati

No action was taken in executive session.

At 07:04 p.m., a motion to come out of executive session was made by TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino.
NOES: None.
RECUSE: None.
ABSENT: None.

DATE: November 6, 2023.

At the start of the meeting, Mayor Marino asked for a minute of silence in memory of Trustee Philip Dorazio's brother who sadly passed away on October 21, 2023.

DISCUSSIONS

Taxi Commission recommendation to the Village regarding Code Changes, including increase in taxicabs fares

Following a brief discussion the Board agreed to the recommendation of the Taxi Commission with exception of senior fee and student fee. The Board of Trustees set the Senior Fee at \$3.00 and Student Fee at \$4.00.

TRUSTEE DIDDEN made a motion to have the Village Attorney codify the Taxi Commission and Board recommendation to set a public hearing on this item, seconded by TRUSTEE ALLEN. The motion was adopted by the Board of Trustees of the Village of Port Chester, New York.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: None. RECUSE: None. ABSENT: None.

DATE: November 6, 2023.

Parking displacement due to MTA wall construction/repair behind N. Main Street shops located between Highland St. and Railroad Bridge over N. Main St.

Trustee Alzate informed the Board that the MTA has contacted a few business owners in the area to inform them that they want to repair the wall that is behind North Main Street. Construction is scheduled to begin on December 1, 2023.

The Village Manager has reached out to the MTA to get information on this project because no notification was provided to the Village. There is possible availability in the Marvin Lot, and a smaller lot next to where Tarry Lodge is. He suggests a placard or decal for displaced vehicles, in collaboration with the Traffic Sergeant this could be easily enforced. The Village Manager will follow up and attempt to get all the details on this project.

REQUEST TO ADD-ON DISCUSSION

On pausing all sight plan approvals in the CD-6, CD-6T, CD-5, CD-5W until the committee looking into these areas comeback with findings.

During the "Discussion" section of the meeting, TRUSTEE DORAZIO asked to add-on a Discussion item to paus all sight plan approvals in the CD-6, CD-6T, CD-5, CD-5W until the committee looking into these areas comeback with findings.

There being no objection TRUSTEE DORAZIO, made a motion, seconded by TRUSTEE GRANGENOIS-THOMAS, for such a motion, which **failed** to receive the unanimous vote of all those present.

ROLL CALL

AYES: Trustees Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: Trustees Didden. RECUSE: None. ABSENT: None.

DATE: November 6, 2023.

The request will be added to the November 29, 2023 Agenda Work Session.

MINUTES

Approval of October 11, 2023 and October, 16, 2023 minutes

Mayor Marino asked for a motion to accept the minutes of October 11, 2023 and October, 16, 2023.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-THOMAS, The Board of Trustees accepted the minutes of October 11, 2023 and October, 16, 2023.

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: None. RECUSE: None. ABSENT: None.

DATE: November 6, 2023.

PUBLIC COMMENTS

Mayor Marino asked if there was anyone from the audience who would like to make any public comments.

Comments were made by several members of the public.

RESOLUTIONS

RESOLUTION #1

AMENDMENT TO ORDER TERMS FOR FIRE APPARATUS

On motion of TRUSTEE DIDDEN seconded by TRUSTEE CARVIN, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, by agreement dated January 11, 2022, the Village of Port Chester contracted with Seagrave Fire Apparatus, LLC, 105 East 12th Street, Clintonville, Wisconsin 54929, for a custom fire apparatus, model TB50CA, Seagrave Marauder Pumper, numbered SO 78M10, in the amount of \$869,036.00; and

WHEREAS, the contractor advised that the manufacture and delivery of the apparatus under the order terms had become commercially impracticable and requested a modification of these terms to include a material price increase of \$121,665.00; and

WHEREAS, the village did not accept these terms; and

WHEREAS, after extensive negotiations, the parties have come to an amicable resolution of their differences. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into an Amendment to Order Terms with Seagrave Fire Apparatus, LLC. to facilitate the delivery of the foregoing apparatus, with the essential terms of same as follows:

1. Addition of a material price increase in the amount of \$100,000.00

2. Discount of two (2) percent of bid price on the village's next two purchases from Seagrave of fire apparatus, if purchased within twelve (12) months from the date of full execution.

3. The Standard Seagrave Two-Year Warranty is extended to a Four-Year Limited Warranty.

4. Delivery of the apparatus shall be no later than October 31, 2024, with liquidated damages of \$200.00/day to go into effect on November 1, 2024 if not delivered by that date.

Approved as to Form:

Anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: None. RECUSE: None. ABSENT: None.

DATE: November 6, 2023.

RESOLUTION #2

BUDGET TRANSFER – FISCAL YEAR 2023-24 GENERAL FUND RECREATION & SENIOR SERVICES PROGRAMMING

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village Manager has recommended the reallocation of unexpended budget funds in the Recreation Department personnel services line item to be used to facilitate proposed additional programing changes in both Recreation and Senior Services departments; and

WHEREAS, in order to properly fund additional programming services a budget transfer is requested. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the FY2023-24 General Fund Budget by transferring \$20,000 from the Recreation Department Personnel Services line item to the Recreation Department Youth Programs and Senior Services Arts and Entertainment Programs line items as follows:

GENERAL FUND

<u>From:</u> A.7310.0100	Personnel Services	(\$20,000.00)
<u>To</u> : A.6720.0578 A.6720.0580 A.7310.0490	Seniors – Arts Programs Seniors – Entertainment Programs Recreation - Youth Programs	\$ 5,000.00 \$ 5,000.00 \$ 10,000.00

Approved as to Form:

anchory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: None. RECUSE: None. ABSENT: None.

DATE: November 6, 2023.

RESOLUTION #3

FAILING THE PROBATIONARY TERM OF A POLICE OFFICER

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the

following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, by letter of appointment referencing action of the Board of Trustees, Matthew Barbara was appointed as police officer of the Village of Port Chester effective November 28, 2022; and

WHEREAS, the Chief of Police has recommended that the village fail Police Officer Barbara's probationary term; and

WHEREAS, upon due deliberation, the Board of Trustees accepts such recommendation. Now, therefore, be it

RESOLVED that the Board of Trustees, acting in its capacity as police commissioners, hereby fails the probationary term of Officer Barbara as police officer and terminates his employment effective November 16, 2023; and be it further

RESOLVED, that the Village Manager is directed to provide notice to the officer as prescribed by Westchester County Civil Service Rules to effectuate the Board's action.

Approved as to Form:

anemay m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Grangenois-Thomas, Allen and Mayor Marino. NOES: Trustees Dorazio and Alzate. RECUSE: None. ABSTAIN: Trustee Carvin ABSENT: None.

DATE: November 6, 2023.

RESOLUTION #4

ACCEPT LETTER OF INTENT AND AUTHORIZE PREPARATION OF PURCHASE AND SALE AGREEMENT FOR THE CONVEYANCE OF DEVELOPMENT RIGHTS TO NERI BAKERY TO FACILITATE ADDITION

OVER THE NEW BROAD STREET MUNICIPAL PARKING LOT AND TO PROVIDE AN OPTION FOR THE VILLAGE TO EXERCISE DEVELOPMENT RIGHTS ON CERTAIN RELATED NERI BAKERY PROPERTIES ON PEARL AND SMITH STREETS FOR A POTENTIAL NEW STRUCTURED PARKING LOT AND TO AUTHORIZE NERI BAKERY TO MAKE APPLICATION TO PLANNING COMMISSION FOR SITE PLAN APPROVAL FOR SUCH ADDITION

On motion of TRUSTEE DORAZIO, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village owns and operates a municipal parking surface lot on New Broad Street, (hereinafter "Village Lot"); and

WHEREAS, in correspondence dated June 23, 2023, Anthony Tirone, Esq. expressed interest on behalf of Neri Bakery related entities ("Neri Bakery") in acquiring development rights above the Village Lot to provide a one-story addition contiguous to its second floor production area; and

WHEREAS, the village has been advised that it is not feasible to construct structured parking at the location; and

WHEREAS, the area of the requested development rights is unnecessary and surplus to village needs; and

WHEREAS, in the exercise of due diligence the village commissioned an independent appraisal valuing such development rights; and

WHEREAS, the Board of Trustees has the power to sell real property pursuant to New York State Village Law Section 1-102(1) and the method of sale chosen is within the sound discretion of the Board of Trustees; and

WHEREAS, the available methods of sale include the right to sell the property through a private negotiated sale; and

WHEREAS, the village has the urgent need for a structured parking facility in the downtown area; and

WHEREAS, the parties have engaged in real property negotiations; and

WHEREAS, counsel to Neri has since provided a Letter of Intent to the village, dated October 27, 2023, with material terms as follows; and

- Sale price of \$400,000 of Village to Neri Bakery for development rights above the New Broad Street parking lot (SBL 142.30-2-5.1) adjacent and contiguous to the rear of 31, 41 and 61 Pearl Street and SBL 142.30-2-4 15 Pearl Street.
- Village to authorize and support Neri Bakery's application for site plan approval

for the proposed addition.

- Neri Bakery to make physical improvements to the lot, such as new paving, lighting and striping.
- Village to have an option for development rights on the Neri Bakery parcels on 38, 40 and 42 Pearl Street and 45 Smith Street towards assemblage of properties to facilitate a structured municipal parking facility with a purchase price of \$400,000 on certain conditions, including the tender of such sum into escrow and the substantial completion of such facility with three calendar years; and

WHEREAS, the Board has duly considered such revised offer and wishes to move forward. Now, therefore, be it

RESOLVED, the area of the requested air rights is unnecessary and surplus to village needs; and be it further

RESOLVED, that the Board of Trustees accepts the substantive terms of the Letter of Intent, regards same as binding and irrevocable and directs the Village Attorney or his designee to prepare a Purchase and Sale Agreement based on same for Board approval; and be it further

RESOLVED, on this basis, the Board authorizes Neri Bakery to make application to the Planning Commission for site plan approval for their review of the proposed addition; and be it further

RESOLVED, that this resolution and Purchase and Sale Agreement shall be subject to all applicable law, rules, or regulations, including but not limited to, compliance with the State Environmental Quality Review Act 6 NYCRR Section 617 ("SEQRA"); and be it further

RESOLVED, that the Board hereby classifies this matter as a Unlisted Action under SEQRA; and be it further

RESOLVED, in furtherance of same, the Board hereby declares its' intent to designate itself as Lead Agency for the purposes of a coordinated SEQRA review and that such notice be given to all interested and involved agencies.

Approved as to Form:

anthray m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Dorazio, Grangenois-Thomas, Allen, Alzate and Mayor Marino. NOES: Trustee Didden. RECUSE: None. ABSTAIN: Trustee Carvin ABSENT: None.

RESOLUTION #5

BUDGET TRANSFER – FISCAL YEAR 2023-24 GENERAL FUND – BUILDING DEPARTMENT 3RD PARTY FIRE SPRINKLER PLAN REVIEW

On motion of TRUSTEE DORAZIO, seconded by TRUSTEE GRANGENOIS-THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Building Inspector is requesting the services of a 3rd party plan review of the fire sprinkler plans submitted for the new construction at 169 North Main Street; and

WHEREAS, in order to properly fund services, the Building Inspector has requested the transfer of excess funds remaining from Personnel Services line item (A.3620.100) to Consulting services line item (A.3620.401) in the amount of \$1,700 to cover unanticipated additional costs for services requested. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the FY2023-24 General Fund Budget by transferring \$1,700 from the Building Department Personnel Services line item to the Building Department Consulting line item as follows:

GENERAL FUND

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<u>From:</u> A.3620.0100	Personnel Services	(\$1,700.00)
<u>To</u> : A.3620.0401	Consulting	\$ 1,700.00

Approved as to Form:

making m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Grangenois-Thomas, Carvin, Allen, Alzate and Mayor Marino. NOES: None. RECUSE: None. ABSENT: None.

BOARD OF TRUSTEE MEETING 11/06/2023

DATE: November 6, 2023.

REPORT OF THE BUILDING INSPECTOR

The Building Inspector, Kevin Donohue, delivered a report in reference to what was provided in the October Monthly Report. A key point to note is during the spring and summer, permits take longer to process than in the fall and winter. With the addition of another inspector, inspections are able to be conducted a bit faster. Many of the Trustees made comments and asked questions.



Village of Port Chester Building Department 222 Grace Church Street, Room 100 Port Chester, New York 10573

Kevin Donohue, Building Inspector KDonohue@PortChesterNY.Gov Phone: (914) 939-5203 Fax: (914) 939-8747

Building Department Report October 2023 Permit Activity and Fee's Deposited

Permits	- 76 Processed
Fee's Deposited	- \$122,460.00
Search Reports	- 24 Processed and 2 Internal Processed for Code Enforcement
Fee's Deposited	- \$4,800.00
Review Time	85% of the permits are reviewed and issued with two weeks.15% of the permits review time is up to four weeks
Permits Pending	 40 Application Pending Review 113 Applications - Additional Information Requested

Grease Trap Program - 21 in total Permit(s) issued for the Grease Trap Certification Program

Permits of interest:

30 Broad Street. 9 Story Building. Concrete structure completed to 9rd floor.
354 N. Main St Application for storage building. On Hold. No Will Serve Letter for Water
130 Midland Ave Floor and Decor. Exterior work 90% completed, Interior work 95% completed.
108 South Main St 9 Story Multifamily concrete structure completed. Working on exterior walls.
15 North Main St Application for 6 Story Building. On Hold. No Will Serve Letter for water.
575 King Street 5 applications for new single family dwellings - Planning Conditions Not Met.
140/150 Westchester Application New Construction Fee \$55,000 - Pending Site Plan Conditions
535 BPR Shake Shack Restaurant Permit Issued. End space next to Whole Foods.
441 BPR Burlington Store Permit Issued - Formerly Bye Baby

<u>Expe of Permit</u>		Occupancy Classifcatio	n	Fees Collected	
	1 & 2 Family	Multi Family	Commercial		
Addition	0	0	0		
Alteration & Change In Use	7	0	2	\$12,800.00	
Alteration & Change in Use - TS	0	0	0		
DA No Fee					
Building Systems	0	0	0		
Building Systems - TS IDA No	0	0	0		
Fee					
Demolition	0	0	0		
Demolition - TS IDA No Fee	0	0	0		
Electrical	10	2	4	\$4,470.00	
Electrical - TS IDA No Fee	0	0	0		
Fire Protection Equipment	0	2	1	\$5,150.00	
Floodplain Development	0	0	0		
Land Development	1	2	0	\$57,080.00	
Mechanical	8	1	2	\$7,540.00	
Mechanical - TS IDA No Fee	0	0	0		
New Construction	0	0	0		
Occupancy Public Sidewalk	0	0	0		
Plumbing	4	3	5	\$18,200.00	
Plumbing - TS IDA No Fee	0	0	0		
Pool/Spa	0	0	0		
Re-Roof & Re-Covering	5	0	3	\$11,140.00	
Shell Permit	0	0	0		
Sign	0	0	4	\$1,920.00	
Solar Panels & Generators	5	1	0	\$2,780.00	
Special Building Permit	1	0	1	\$500.00	
Storage Tank, Bulk Distribution	0	0	0		
Felecommunications Facility	0	0	0		
Fenant Fit-Out	0	0	2	\$880.00	
Fotal Entered: 76	41	11	24		
Application in Progress	9	0	6		
Permits Renewed	2	0	2		
Certificates of Occupancy	1	0	1		
Temporary Certificates of Occupanc	y 0	0	0		
Certificate of Compliance	8	2	8		
nspections Performed					
Permits Referral by Code Enforcement	1	0	0	\$680.00	
Total Monthly Revenue				\$122,460.00	

October 2023 Building Department Monthly Report

File Date:10/1/2023 to 10/31/2023

REPORT OF THE VILLAGE MANAGER

The Village Manger started by reminding everyone that this is a Holiday week, as Friday is the recognized day for Veteran's Day. There is a ceremony at 11:00 am on Saturday, at Westchester and Regent Memorial Park. A thank you to Heather, the recreation commission, and park commission for a successful Halloween in the Park event. The Manager thanks the Board for approving the two budget transfers, it will benefit the Recreation Department and Senior Center greatly. The Senior Center is receiving the upgrades from the grant funds. Phase two of the Bulkhead project is scheduled to be complete by mid-December, and the next phase is two-A. The Village has received over 12 million dollars from the BLI Grant for the Sanitary Sewer Revitalization project, bringing the total for the project a little over 26 million.

RESOLUTIONS

RESOLUTION #6

AUTHORIZING THE VILLAGE ATTORNEY TO ENTER INTO THE SECOND AMENDED ORDER OF DISMISSAL WITH RESPECT TO THE VILLAGE OF PORT CHESTER IN THE MATTER OF SAVE THE SOUND AND ATLANTIC CLAM FARMS OF CONNECTICUT, INC. V. WESTCHESTER COUNTY, NY; TOWN/VILLAGE OF HARRISON; VILLAGE OF LARCHMONT; TOWN OF MAMARONECK; CITY OF NEW ROCHELLE; VILLAGE OF PELHAM MANOR; CITY OF RYE; VILLAGE OF RYE BROOK; AND VILLAGE OF SCARSDALE

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village

of Port Chester, New York:

WHEREAS, in 2015, Save the Sound and Atlantic Clam Farms of Connecticut, Inc. ("Plaintiffs") commenced an action in the United States District Court asserting, *inter alia*, that the County of Westchester and eleven municipalities in the County, including the Village of Port Chester, were in violation of certain provisions of the Clean Water Act (33 U.S.C. § 1365 *et seq.*); and

WHEREAS, Plaintiffs agreed to the dismissal of this action as against Port Chester pursuant to the provisions of a Consent Order entered by the Court on October 12, 2017 ("Consent Order") (Docket No. 88), subject to this Court's retention of jurisdiction to enforce the Consent Order, as amended by an Amended Order of Dismissal entered by the Court on April 27, 2020 ("Amended Order"); and

WHEREAS, the termination date of the Amended Order was defined by when a 2016 Intermunicipal Agreement with Westchester County and a 2009 Administrative Order with the U.S. Environmental Protection Agency (EPA) each terminated; and

WHEREAS, Port Chester has adopted a Five-Year Plan for ongoing improvements to its sanitary sewer system providing for an additional \$35 million in strategic upgrades and repairs to its sanitary sewer system; and WHEREAS, although the EPA Order has been terminated, the County IMA has not been terminated despite the Village's request that it do so; and

WHEREAS, following negotiations with Plaintiffs' attorneys, the Village's special outside counsel, Sive, Paget & Riesel, recommends that the consent order be modified to establish a clear termination date for Plaintiffs' review of and the Court's ongoing jurisdiction over Port Chester's efforts to eliminate sources of stormwater from its sanitary sewer system in order to achieve compliance with the Clean Water Act.; and

WHEREAS, such action will bring well-deserved finality to this protracted litigation against Port Chester. Now, therefore, be it

RESOLVED, that the Village Attorney is hereby authorized to enter into a Second Amended Order of Dismissal in the above-referenced action, material terms of which are summarized as follows:

1. This Second Amended Order shall be effective when it is entered by the Court.

2. Port Chester agrees and admits that it has an obligation to comply with the applicable flow limits of the County Sewer Act.

3. By December 31, 2023, Port Chester shall provide to Plaintiffs copies of all reports it has submitted to the EPA, the New York State Department of Environmental Conservation, and the County of Westchester concerning Port Chester's efforts to comply with the Clean Water Act, the IMA, the Five Year Plan, or the flow limits of the County Sewer Act.

4. By December 31, 2023, Port Chester shall provide updated information as to work performed to its sanitary sewer system.

5. Port Chester shall pay a sum of fifteen thousand dollars (\$15,000) as full and complete satisfaction of Plaintiffs' claims for attorneys' fees and costs incurred to date, including for monitoring compliance with the prior orders of this Court, payable to Plaintiff's attorneys, the Super Law Group within five (5) business days of the Effective Date by check or electronic transfer, payable to "Super Law Group, LLC Attorney Trust – IOLA" which will be deposited in Super Law Group's IOLA Trust Account for the benefit of Plaintiffs.

6. This Second Amended Consent Order shall not constitute an admission of liability or responsibility for any claims, costs, or damages asserted in the Complaint. This Second Amended Consent Order shall not be useable by any party in any action or proceeding, except in any action or proceeding brought to enforce the terms of this Second Amended Order.

7. Notwithstanding the dismissal of the litigation against Port Chester, the Court shall maintain jurisdiction over Port Chester to enforce the terms of this Second Amended Order. Unless a motion seeking to enforce this order is filed with the Court on or before March 31, 2024, the Court's jurisdiction over Port Chester for the purpose of enforcing this Second Amended Order shall terminate on April 1, 2024.

Approved as to Form:

Anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #7

BID AWARD FOR THE COLUMBUS PARK UPGRADES PROJECT

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the

following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester advertised for competitive bids for the Columbus Park Upgrades Project (Bid No. 2023-22); and

WHEREAS, two bids were received; and

WHEREAS, through the Village Manager, the village's consulting engineers, Delaware Engineering, D.P.C., reports that Pat Corsetti, Inc. is the lowest responsible bidder and that its bid complies with all bid requirements. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for the Columbus Park Upgrades Project (Bid No.: 2023-22) to Pat Corsetti, Inc., 610 Fenimore Road, Mamaroneck, New York 10543, in the amount of \$83,360; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into the requisite agreement with the contractor; and be it further

RESOLVED, that funding for this project has been appropriated in Capital Fund expenditure line item H.7110.400.2021.241 (Columbus Park Improvements).

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #8

BID AWARD FOR THE COLUMBUS PARK FENCE INSTALLATION PROJECT

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village

of Port Chester, New York:

WHEREAS, the Village of Port Chester advertised for competitive bids for the Columbus Park Fence Installation Project (Bid No. 2023-14); and

WHEREAS, six bids were received; and

WHEREAS, through the Village Manager, the village's consulting engineers, Delaware Engineering, D.P.C., reports that WBE Fence Company is the lowest responsible bidder and that its bid complies with all bid requirements. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for the Columbus Park Fence Installation Project (Bid No.: 2023-14) to WBE Fence Company, 11 Deer Court, Brewster, New York 10509 in the amount of \$56,755.00; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into the requisite agreement with the contractor; and be it further

RESOLVED, that funding for this project has been appropriated in Capital Fund expenditure line item H.7110.400.2021.241 (Columbus Park Improvements).

Approved as to Form:

BOARD OF TRUSTEE MEETING 11/06/2023

Anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #9

BID AWARD FOR THE BULKLEY DRAIN DEBRIS REMOVAL PROJECT

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester advertised for competitive bids for the Bulkley Drain Debris Removal Project (Bid No. 2023-23); and

WHEREAS, one bid was received; and

WHEREAS, through the Village Manager, the village's consulting engineers, Delaware Engineering, D.P.C., reports that MTS Infrastructure, LLC. is a responsible bidder and whose bid complies with all bid requirements. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for the Bulkley Drain Debris Removal Project (Bid No.: 2023-23) to MTS Infrastructure, LLC., 135 Lafayette Avenue, White Plains, New York 10603 in the amount of \$65,500.00; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into the requisite agreement with the contractor; and be it further

RESOLVED, that funding for this project has been appropriated in Capital Fund expenditure line item H.8120.400.2018.208 (Bulkley Drain Improvements).

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL BOARD OF TRUSTEE MEETING 11/06/2023 AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #10

BID AWARD FOR PREPARED MEALS FOR THE SENIOR NUTRITION PROGRAM

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS. the Village of Port Chester advertised for competitive bids for Prepared Meals for the Senior Nutrition Program (Bid No. 2023-24); and WHEREAS, one bid was submitted; and

WHEREAS, through the Village Manager, the Program Director recommends that the bid be awarded to the bidder, Hubbard's Cupboard, 6 North Pearl Street, Port Chester, New York 10573. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Prepared Meals for the Senior Nutrition Program (Bid No.: 2023-24) to Hubbard's Cupboard in the amount of \$9.75/meal, for a term ending on May 31, 2024; and be it further

RESOLVED, that the Village Manager is hereby authorized to enter into the requisite agreement with the contractor.

Approved as to Form:

anthray m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #11

AUTHORIZING THE FIRST AMENDMENT TO A LICENSE AGREEMENT WITH THE COUNTY OF WESTCHESTER REGARDING POLICE MUTUAL AID COMMUNICATIONS

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-THOMAS, the following resolution was adopted by the Board of Trustees of the Village

of Port Chester, New York:

WHEREAS, the County of Westchester and the Village of Port Chester entered into a license agreement dated March 31, 2021 wherein the County agreed to furnish and install equipment at the Port Chester Police Station to facilitate police mutual aid radio communications; and

WHEREAS, the County has since received additional grant funding from New York State that will enable the current VHF antenna to be replaced with a tri-band VHF-UHF-700 MHz antenna to accomplish certain system upgrades; and

WHEREAS, through the County proposes a First Amendment to the license agreement to install such new equipment; and

WHEREAS, through the Village Manager, the Chief of Police recommends that Port Chester enter into the proposed amendment. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a First Amendment to a the license agreement dated March 31, 2021 between the County of Westchester and the Village off Port Chester regarding police mutual aid communications.

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #12

AGREEMENT WITH COUNTY OF WESTCHESTER REGARDING

PRISONER TRANSPORTATION

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Westchester County Department of Corrections houses prisoners that must be transported to and from the Town of Rye Justice Court in connection with the adjudication of matters before the court; and

WHEREAS, the Village of Port Chester has had a long-standing agreement to cooperate with the County with the Port Chester Police Department providing such prisoner transportation, including meals, according to a set fee schedule; and

WHEREAS, the current agreement has expired and a renewal agreement has been proposed by the County. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement in the form annexed with the County of Westchester with regard to reimbursement for prisoner transportation between the Village and the County Department of Corrections for the period beginning January 1, 2023 and ending on December 31, 2024

Approved as to Form:

Anthray m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None.RECUSE: None.ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #13

INTERMUNICIPAL AGREEMENT WITH COUNTY OF WESTCHESTER REGARDING THE VILLAGE OF PORT CHESTER YOUTH BUREAU'S OPERATION OF A SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM FOR YOUTH AGES 16 TO 24 FROM FAMILIES WITH LOW AND MODERATE INCOMES

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the County of Westchester, through its Youth Bureau, was awarded a grant from the New York and Presbyterian Hospital to provide a summer youth employment and training program for eligible youth throughout the County; and

WHEREAS, the County has offered the Village of Port Chester the opportunity to participate in such program; and

WHEREAS, the Director of the Youth Bureau, through the Village Manager, has recommended that the village proceed in this beneficial endeavor. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into an Inter-Municipal Agreement with the County of Westchester for the Village of Port Chester Youth Bureau to operate a summer youth employment and training employment program for youth ages 16-24 from families with low and moderate income, for a term of July 1, 2023 to September 30, 2023, with payment to the village an amount not to exceed \$16,147.00

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #14

FREE PARKING FOR THE 2023 HOLIDAY SEASON

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the

following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, by letter from the President of the Chamber of Commerce dated October 27, 2023 request has been made that there be free parking on North Main Street, South Main Street, Abendroth Avenue, the lower portion of Willett Avenue (from Railroad Bridge to Abendroth Avenue), Highland Street/Marvin Place Shoppers Lots, Adee Street, Westchester Avenue and Grace Church Street between South Main Street and Midland Avenue from December 9, 2023 through and including December 23, 2023 for the 2023 Holiday Season; and

WHEREAS, this practice has been an annual tradition in the Village of Port Chester for many years; and

WHEREAS, this practice not only encourages consumers to visit the Village, the "Restaurant Capital of Westchester County," but also increases property values and the Village's tax base. Now, therefore, be

RESOLVED, that enforcement be suspended so that there will be free parking for up to the maximum two hours of parking in a space on North Main Street, South Main Street, Abendroth Avenue, the lower portion of Willett Avenue (from Railroad Bridge to Abendroth Avenue), Highland Street/Marvin Place Shoppers Lots, Adee Street, Westchester Avenue and Grace Church Street between South Main Street and Midland Avenue for the 2023 Holiday Season from December 9, 2023 to December 23, 2023.

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None.RECUSE: None.ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #15

CAPITAL PROJECT & GENERAL FUND BUDGET AMENDMENT – CAPITAL PROJECT #2021-243 (FD VEHICLES & EQUIPMENT – ENGINE/PUMPER TRUCK)

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in order to facilitate the amendment to the order terms for the custom fire apparatus, model TB50CA, Seagrave Marauder Pumper, numbered SO 78M10, in the

amount of \$100,000 and \$10,000 to fund \$5,568 expenditure overages and remaining \$4.432 for contingency a budget amendment in the amount of \$110,000 must be authorized: and

WHEREAS, the original funding in the amount of \$905,000 appropriated from serial bond proceeds will be supplemented with a transfer of unassigned general fund balance in the amount of \$110,000 as a transfer to capital project #2021-243. Now therefore be it.

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorize the Village Treasurer to increase Capital Project #2021-243 (FD Vehicles & Equipment – Engine/Pumper Truck) as follows:

GENERAL FUND:

Revenues: A.4995	Appropriated Fund Balance	\$110,000.00
Appropriations: A.9900.900	Transfer to Capital	\$110,000.00
CAPITAL FUND: Revenues: H.5031.2021.243	Transfer from General Fund	\$110,000.00
Appropriations: H.3410.203.2021.243	FD Vehicles & Equipment-Engine/Pumper	\$110,000.00

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. **RECUSE:** None. **ABSENT:** Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #16

PROVIDING COMMENT TO NEW YORK STATE LIQUOR AUTHORITY IN RESPONSE TO NOTIFICATION OF AN APPLICATION FOR A LIQUOR LICENSE TO BE FILED BY 40 GRACE RESTAURANT CORP.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the following resolution was adopted as amended by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in correspondence to the Village Clerk, 40 Grace Restaurant Corp (the "Applicant"), owner of 40 Grace Church Street, Port Chester, has notified the Village of Port Chester it intends to make an application to the New York State Liquor Authority for a new liquor license; and

WHEREAS, in order for the Board of Trustees to make a reasoned determination on the request, the Clerk referred the correspondence to Village Staff for comment; and

WHEREAS, the Department of Code Enforcement has advised that there are ongoing code enforcement proceedings regarding the premises; and

WHEREAS, the Police Department has reported scores of calls for service in the past three years. Now, therefore, be it

RESOLVED, that on behalf of the Board of Trustees, the Mayor is hereby authorized to notify the New York State Liquor Authority to provide such comment with the village's position that is opposed to the issuance of a liquor license to 40 Grace Restaurant Corp.

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #17

APPOINTMENT OF PETER PASCALE TO THE COMMISSION ON RECREATION

On motion of TRUSTEE GRANGENOIS-THOMAS, seconded by TRUSTEE

DIDDEN, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that PETER PASCALE, of Port Chester, NY, be and she hereby is appointed as a member of the Port Chester Commission on Recreation, a seat previously held by Angelo Rubino effective immediately, with said term to expire on July 9, 2025.

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None.RECUSE: None.ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #18

GRANTING REQUEST FROM THE AMERICAN LEGION POST 93, FOR ASSISTANCE AND PERMISSION TO HOLD VETERANS DAY CEREMONIES

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO, the following resolution was **adopted** by the Board of Trustees of the Village of Port

Chester, New York:

RESOLVED, that in response to a letter dated October 17, 2023 from the American Legion Post 93, for assistance and permission to hold Veterans Day ceremonies at Veterans Memorial Park on Saturday, November 11, 2023 at 11:00 a.m.

RESOLVED, that the Board of Trustees hereby advises of its favorable consideration to the request for \$1,000 in assistance.

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen. DATE: November 6, 2023.

RESOLUTION #19

OPPOSING THE LOCATION OF A PROPOSED TELECOMMUNICATIONS TOWER ON NEW YORK STATE THRUWAY AUTHORITY PROPERTY WITHIN THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE ALZATE, the

following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester has become aware that the New York State Thruway Authority is considering an application by AT & T for lease of the rightof-way at the I-95 exit ramp onto the Boston Post Road (U.S. Route 1) abutting the Gateway Shopping Center to facilitate the erection of a telecommunications tower; and

WHEREAS, the Village has granted land use approvals for the comprehensive redevelopment of the former United Hospital for mixed residential and commercial use; and

WHEREAS, as part of the redevelopment the Village has given approval for the erection of a monopole to be utilized by multiple telecommunications providers, including AT & T; and

WHEREAS, if accepted the Thruway Authority proposal would result in a second telecommunications tower involving the same telecommunications provider in close proximity; and

WHEREAS, the Board has significant concerns that the proposal will have on the view-shed for the gateway to the Village of Port Chester, as well as negative impacts on economic development in the Village; Now, therefore, be it

RESOLVED, that the Board of Trustees hereby express its strong opposition to the pending application before the New York State Thruway Authority for the erection of a telecommunications tower on Thruway property to be located within the village and authorizes the Mayor to advocate the Village's position.

Approved as to Form:

anthray m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino **NOES:** None.

RECUSE: None. **ABSENT:** Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #20

AWARDING REQUEST FOR PROPOSALS FOR DESKTOP, NETWORK AND SERVER ADMINISTRATION AND SUPPORT PROFESSIONAL SERVICES

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester advertised for a Request for Proposals regarding Desktop, Network and Server Administration and Support Professional Services (RFP No. 2023-17); and

WHEREAS, two proposals have been received; and

WHEREAS, through the Village Manager, the Director of the Department of Central and Information Services, has recommended that the village accept the proposal of DCC Inc. 212 East 48th Street, Suite 6A, New York NY to provide such services. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the Request for Proposals for Desktop, Network and Server Administration and Support Professional Services (RFP 2023-17) to DCC, Inc. for a term to expire on May 31, 2026 with compensation payable as stated in its proposal dated November 2, 2023 and set forth as follows:

Desktop Level 2 Hourly Rate for four (4) hour turn around for loss of connectivity on critical systems between 7:30 am and 5 pm, M-F: \$150.00/hour

Desktop Level 2 Hourly Rate for four (4) hour turn around for loss of connectivity on critical systems between 7:30am and 5pm, weekend and holiday: \$200.00/hour

Desktop Level 2 Hourly Rate for twenty-four (24) hour turn around for loss of connectivity non- critical systems between 7:30am and 5pm, M-F: \$150.00/hour

Level 1-2 WinTel Systems Engineer/Network Admin Hourly Rate for four (4) hour turn around for loss of connectivity on critical systems between 7:30am and 5pm, M-F: \$175.00/hour

Level 1-2 WinTel Systems Engineer/Network Admin Hourly Rate for four (4) hour turn around for loss of connectivity on critical systems between 7:30am and 5pm, weekend and holiday: \$200.00/hour

Level 1-2 WinTel Systems Engineer/Network Admin Hourly Rate for twenty-four (24) hour turn around for loss of connectivity non-critical systems between 7:30am and 5pm, M-F: \$175.00/hour

Level 3 WinTel Systems Engineer/Network Admin Hourly Rate for four (4) hour turn around for loss of connectivity on critical systems between 7:30am and 5pm, M-F: \$200.00

Quarterly Maintenance per physical server: \$1,400 estimate Quarterly Maintenance per virtual server: \$225.00 estimate Quarterly Maintenance per switch: \$200.00 estimate Quarterly Maintenance per firewall: \$250.00 estimate Quarterly Firmware/BIOS Maintenance per workstation: \$150.00 estimate

and be it further

RESOLVED, that the Village Manager is hereby authorized to enter into the requisite agreement with the consultant.

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #21

RFP #2023-02 AWARD FOR MUNICIPAL FINANCIAL ADVISOR PROFESSIONAL SERVICES

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester released a Request for Proposals (RFP #2023-02) for municipal financial advisor professional services; and

WHEREAS, four proposals were received; and

WHEREAS, Village staff reviewed all such proposals, selected two of the proposers for interview, and recommends the incumbent Capital Markets Advisors, LLC to continue to provide municipal financial advisor services based upon prior long-standing experience with the Village, overall pricing structure and depth of available resources. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into a retainer agreement with Capital Markets Advisors, LLC., 11 Grace Avenue, Great Neck, New York 11021 to provide municipal financial advisor professional services to the Village of Port Chester with a term to expire on May 31, 2026 with payment to be made in accordance with the fee schedule contained in its proposal dated March 15, 2023 and set forth as follows:

--For bond issues: a base fee of \$8,450 plus \$0.50 per \$1,000 of bonds issued over \$5 million

--For note issues: a base fee of \$4,250 plus \$0.25 per \$1,000 of notes issued over \$5 million

--For note issues sold without an Official Statement: \$2,500

--For refunding bond issues: a base fee of \$12,000 plus \$1.00 per \$1,000 of bonds issued

--For Continuing Disclosure: \$2,200* including all required Material Event Notices --For additional services requested by the Village unrelated to financing: hourly rate of \$185

--Printing, overnight delivery, copies, web hosting and CUSIP numbers application: \$250 cap

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTION #22

Trustee ALZATE made a motion to amend the resolution by modifies the determination of the Taxi Commission of October 3, 2023 regarding taxi licensee Daniel Vanegas to impose a penalty of two weeks.

There being no objection, on motion of TRUSTEE ALZATE, seconded by MAYOR MARINO, the motion to amend was **defeated** by the Board of Trustees of the Village of Port Chester, New York.

ROLL CALL

AYES: Trustee Alzate and Mayor Marino NOES: Trustees Didden, Dorazio and Grangenois-Thomas. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

Trustee DORAZIO made a motion to amend the resolution by modifies the determination of the Taxi Commission of October 3, 2023 regarding taxi licensee Daniel Vanegas to impose a penalty of eighteen days.

There being no objection, on motion of TRUSTEE DORAZIO, seconded by TRUSTEE GRANGENOIS-THOMAS, the motion to amend was **adapted** by the Board of Trustees of the Village of Port Chester, New York.

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

DISPOSITION OF APPEAL FROM DETERMINATION OF TAXI COMMISSION

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE DORAZIO the following resolution was **adopted as amended** by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, as authorized by the Village Code, Daniel Vanegas has appealed to the Board of Trustees the Taxi Commission's October 3, 2023 determination to suspend his taxi operator's license for three weeks; and WHEREAS, Mr. Vanegas was given notice and an opportunity to be heard at a meeting on November 1, 2023; and

WHEREAS, the Board has concluded its deliberations on this matter. Now, therefore be it

RESOLVED, that the Board of Trustees hereby modifies the determination of the Taxi Commission of October 3, 2023 regarding taxi licensee Daniel Vanegas to impose a penalty of 18 days.

Approved as to Form:

anthony m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

CORRESPONDENCES

From the Parish of St. John Bosco requesting permission to have a procession on December 11, 2023

The Board referred the correspondence to staff without objection.

MOTION FOR CLOSE SESSION

At 09:22 p.m., on motion of TRUSTEE DORAZIO, seconded by TRUSTEE DIDDEN the Board adjourned into a close session.

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

ALSO PRESENT: (Arrived at 07:10 p.m.) (Left at 07:10 p.m.) Via Videoconference Village Manager, Stuart Rabin Corporation Counsel, Attorney Peter Sisca Village Attorney, Anthony Cerreto

No action was taken in executive session.

At 09:18 p.m., a motion to come out of close session was made by TRUSTEE DORAZIO, seconded by TRUSTEE DIDDEN, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

RESOLUTIONS CONTINUE

RESOLUTION #23

On motion of TRUSTEE DORAZIO, seconded by TRUSTEE GRANGENOIS-

THOMAS, the following resolution was adopted by the Board of Trustees of the Village

of Port Chester, New York:

RESOLVED, that the Board of Trustees RESCINDS Resolution Number 20 as listed on today's Agenda and with the following title:

"ACCEPT LETTER OF INTENT AND AUTHORIZE PREPARATION OF PURCHASE AND SALE AGREEMENT FOR THE CONVEYANCE OF DEVELOPMENT RIGHTS TO NERI BAKERY TO FACILITATE ADDITION OVER THE NEW BROAD STREET MUNICIPAL PARKING LOT AND TO PROVIDE AN OPTION FOR THE VILLAGE TO EXERCISE DEVELOPMENT RIGHTS ON CERTAIN RELATED NERI BAKERY PROPERTIES ON PEARL AND SMITH STREETS FOR A POTENTIAL NEW STRUCTURED PARKING LOT AND TO AUTHORIZE NERI BAKERY TO MAKE APPLICATION TO PLANNING COMMISSION FOR SITE PLAN APPROVAL FOR SUCH ADDITION."

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

PUBLIC COMMENTS AND BOARD COMMENTS

Mayor Marino asked if there was anyone from the audience who would like to make any additional public comments.

The public and the Board of Trustees had an opportunity to make public comments at the end of the meeting.

Mayor Marino asked for a motion to adjourn the meeting.

On a motion of TRUSTEE GRANGENOIS-THOMAS, seconded by TRUSTEE DIDDEN, the meeting was adjourned at 09:56 p.m.

ROLL CALL

AYES: Trustees Didden, Dorazio, Alzate, Grangenois-Thomas and Mayor Marino NOES: None. RECUSE: None. ABSENT: Trustees Carvin and Allen.

DATE: November 6, 2023.

Respectfully submitted,

Anon R. Richard

Janusz R. Richards Village Clerk

PUBLIC COMMENTS

REPORT OF THE VILLAGE MANAGER

RESOLUTIONS

RESOLUTION

RES 01 11-20-2023

SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 295, "TAXICABS", RELATING TO ADJUSTING AND ESTABLISHING FARES, AUTHORIZING CHARGES FOR CERTAIN ITEMS TO BE PLACED BY PASSENGERS IN A TAXICAB AND INCORPORATING THE USE OF GPS-ENABLED DEVICES IN TAXICAB OPERATIONS

On motion of TRUSTEE , seconded by TRUSTEE , the following

resolution was adopted by the Board of Trustees of the Village of Port Chester, New

York:

RESOLVED that the Board of Trustees hereby sets a public hearing to be held at the Town of Rye Justice Court Courtroom, 350 North Main Street, 2nd Floor, Port Chester, New York on December 4, 2023 at 7:00 p.m. or as soon thereafter as the matter can be heard, to consider the advisability of adopting a local law that would amend the Code of the Village of Port Chester, Chapter 295, "Taxicabs" relating to adjusting and establishing fares, authorizing charges for certain items to be placed by passengers in a taxicab and incorporating the use of GPS-enabled devices in taxicab operations.

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

Village of Port Chester, New York

Local Law No. I-7 of 2023

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 295 "TAXICABS", RELATING TO ADJUSTING AND ESTABLISING FARES, AUTHORIZING CHARGES FOR CERTAIN ITEMS PLACED IN A TAXICAB AND INCORPORATING THE USE OF GPS-ENABLED DEVICES IN TAXICAB OPERATIONS.

Be it enacted by the Board of Trustees of the Village of Port Chester, New York as follows:

SECTION 1: The purpose and intent of this local law is to adopt changes to the Village Code recommended by the Taxi Commission relating to adjusting and establishing fares, authorizing a charge for certain items placed by passengers in a taxicab, and incorporating the use of GPS-enabled devices as a guide to taxicab operators.

SECTION 2: The Code of the Village of the Village of Port Chester, Chapter 295 Taxicabs, Section 295-24, "Fares", is hereby amended as follows:

The rates of fares to be taken by or paid to the owners or drivers of public conveyances within the village shall be as follows:

- A. For conveying one passenger: [\$5] <u>\$6.00</u> The rate of [\$1.50] <u>\$2.00</u> shall be charged for each additional passenger.
- B. Children.

(1)

Ages five to 12 years

(a)For the conveyance of children between the ages of five and 12 years, the following charges shall apply:

[1] When a child is attended by an adult paying full fare, each child shall be charged $\frac{1}{2}$ of the full fare.

[2] When a child is unattended, full fare [for the first party] will be charged. [Each additional child will pay $\frac{1}{2}$ of the full fare.]

(b) The above is based on a per-stop basis.

(2) Under five years. All children under the age of five must be attended, and there will be no charge for said children

C. Senior Citizens. Fees are \$3.00 for all senior citizens who show evidence of age 60 years or older. Senior citizens who travel to the contiguous area of the Town of Rye for the purpose of medical needs, shopping needs or visiting the senior center shall be charged the same rate. For the purposes of determining the fare, the senior citizen shall always be considered the primary passenger in a vehicle.

D. Students. Students traveling to and from a residence and an elementary, middle or high school shall be charged \$4.00.

<u>E</u>. [D] A charge of \$3.00 [No charge] shall be made for a passenger's suitcase, traveling bag, valise, shopping bags or other articles carried by hand by a passenger into a vehicle or placed in the trunk of the taxicab. There shall be no charge for a baby stroller or baby carriage, wheelchair, walker, crutch or other medical devices.

<u>F.</u> [E] After a cab has been engaged, additional passengers may not be taken except with the mutual consent of the passenger occupying the cab and the passenger entering the cab.

<u>G.</u> [F] The operator of a taxicab transporting a passenger or passengers from a point within the village limits shall charge the fares as set forth above from the point of origin to the village limits and may charge such additional fares as the operator and the passenger may agree upon for the ride beyond the village limits. This agreement shall be made prior to departure and will be final.

<u>H.</u> [G] The rates enumerated herein may be adjusted in the future by resolution of the Board of Trustees.

SECTION 3: The Code of the Village of Port Chester, Chapter 295, Taxicabs. Section 295-33 "Dress Code' Street Map; Passenger Limit; Bill of Rights", is hereby amended as follows:

•••

C. All taxicabs must carry a Village of Port Chester street map <u>or a GPS-enabled device</u> (e.g. cell phone, tablet or Garmin) at all times.

SECTION 4: Severability

If any clause, sentence, paragraph, section or part of this local law shall be determined by any court of competent jurisdiction to be invalid, the judgment thereon shall not affect the validity of this law as a whole or any part thereof other than the part decided to be invalid.

SECTION 5: Effective Date

This local law shall take effect immediately upon due publication and filing with the Secretary of State.

RESOLUTION

CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER

On motion of TRUSTEE , seconded by TRUSTEE , the following Resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees extends a conditional offer of employment to MIA J. GRALL as a police officer of the Village of Port Chester, New York, with appointment to be effective upon approval of the Westchester County Department of Human Resources.

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

RESOLUTION

RES 03 11-20-2023

CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER

On motion of TRUSTEE , seconded by TRUSTEE , the following Resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

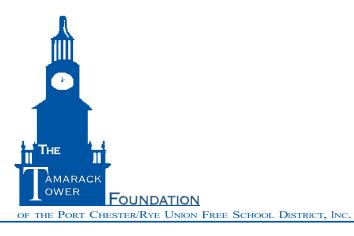
RESOLVED, that the Board of Trustees extends a conditional offer of employment to RICHARD J. GRALL as a police officer of the Village of Port Chester, New York, with appointment to be effective upon approval of the Westchester County Department of Human Resources.

Approved as to Form:

memory m. cerreto

Anthony M. Cerreto, Village Attorney

CORRESPONDENCE



P.O. Box 1718, Port Chester, New York 10573 www.tamaracktower.org

PRESIDENT MAUREEN JOSEPHSON

VICE PRESIDENTS KIM MORABITO ELIZABETH ROTFELD

TREASURER FREDA WESLEY

RECORDING SECRETARY DENISE QUINN

CORRESPONDING SECRETARY ROSEMARIE BARONE

BOARD OF DIRECTORS NANCY BRACELIN KAREN CORBETTA ANGELO RUBINO* RAYMOND SCULKY

HONORARY BOARD OF DIRECTORS HON. JOSEPH CARVIN ANDREW CASTELLANO DR. CHARLES COLETTI JOAN CONKLIN* PAUL ELLENBOGEN* FRANK FANELLI JOAN GARGONE MARIE B. GENTEALE ANTHONY B. GIOFFRE HON. BRUNO J. GIOFFRE CAMILLE C. LINEN HON. ROBERT MORABITO* PETER MUTINO ANTHONY J. NAPOLI DOMINICK NERI **BISHOP NOWOTNIK*** HON. DENNIS PILLA* MARGOTH PILLA HON. HOPE VESPIA **REV. GERALD WASHINGTON**

*DECEASED

September 22, 2023

Mayor and Board of Trustees Village of Port Chester 222 Grace Church Street Port Chester, NY 10573

Dear Honorable Mayor and Board of Trustees:

The Tamarack Tower Foundation is a tax-exempt organization whose sole purpose is to support the students of the Port Chester School District. In the past we have made generous contributions to the schools due in part to donations and fund raisers.

The Tamarack Tower Foundation would like to request approval from the Board of Trustees to hold a Turkey Trot on Thursday (Thanksgiving), November 23, 2023, with registration beginning at 8:30 a.m. and race/run at 9:30 at the Port Chester High School. This event will start at the flag pole at the high school and continue onto College Avenue to Haines Blvd. – around Haines Blvd. – in front of Park Avenue School bearing right onto Barton Place, right onto Newton Avenue and ending back at the flag pole. This will be an approximate distance of 1.7 miles for walkers and runners will cover the course twice.

We are requesting that these streets be closed from 9:30 to 10:30.a.m. and if possible, obtain police supervision at each intersection.

We also would like permission to have village staff hang our banners on Putnam Avenue opposite Lyon Park, across Westchester Avenue near the fire house and across N. Main Street, as well as permission to place a sign at Messina Park to publicize the Turkey Trot. Banner and sign placement is requested from November 14th through Thanksgiving Day.

We hope you can join us on Thanksgiving morning! Thank you for your consideration of our request.

Cordially,

Elizabeth Rotfeld, Event Chairperson 914-886-8226

TAMARACK TOWER FOUNDATION ANNUAL TURKEY TROT 3.5 RUN/1.7WALK THURSDAY, NOVEMBER 23, 2023

Fee \$

REGISTRATION - 8:30-9:15 A.M

Race begins at **9:30 a.m** .- Port Chester High School Stadium Side (at Flag Pole) - Refreshments and prizes. T-Shirts given to all who PRE-REGISTER!

21 & Under Ph	Race Coordinator: Elizabeth Rotfeld Phone : 914-886-8226 E-mail : Elizabeth.rotfeld@aol.com			
First Name	M/F	Age		
	Famil	y Name		
State	Zip Code			
E-mail				
and administrators, waive and rele Tower Foundation, PC Public Sch Race Committee, or their represen and their representatives for any in Further, I hereby grant permission	ase any claims I may have again ools, Villages of Port Chester an tatives, successors or assignees njuries that may be suffered by r to use my name, likeness, or vo	nst the Tamarack nd Rye Brook, and/or Sponsors ne in this event. bice as well as		
Date Signature of	of parent/guardian if under 18 ye	ears Date		
	21 & Under Ph ! E-	21 & Under Phone : 914-886-8226 ! E-mail : Elizabeth.rotfeld@aol. First Name M/F First Name M/F State Zip Code E-mail E-mail In consideration of the entry being accepted, I hereby, for myself, and administrators, waive and release any claims I may have again Tower Foundation, PC Public Schools, Villages of Port Chester at Race Committee, or their representatives, successors or assignees and their representatives for any injuries that may be suffered by r Further, I hereby grant permission to use my name, likeness, or vo any photographs, videos, and recordings in which I appear at this		

Sponsorship Form Ask your family, friends, neighbors and co-workers to sponsor you by pledging a donation for every mile or a flat rate donation for finishing the run/walk.

Mail registration to Tamarack Tower, P.O. 1718, Port Chester, NY by Nov. 19th or turn in at Registration Desk.

NAME ADDRESS SIGNATURE PLEDGE TOTAL

NAME	ADDRESS	SIGNATURE	PLEDGE	TOTAL

Sponsored by: ARCTIC MECHANICAL, Heating and Cooling, Port Chester, NY

For on-line registration check website: www.tamaracktower.org

PUBLIC COMMENTS AND BOARD COMMENTS